

### **REMARKS**

The Final Office Action dated June 30, 2005 contained a final rejection of claims 1-26. The Applicants have amended claims 1, 7, 16, and 24. Claims 1-26 are in the case. Please consider the present amendment with the attached Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. This amendment is in accordance with 37 C.F.R. § 1.114. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-10, 12-20, and 22-23 under 35 U.S.C. § 102(e) as being anticipated by Cloutier (U.S. Patent No. 6,459,913). The Office Action rejected claims 11 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Cloutier in view of Murray (U.S. Patent Publication No. 2002/0068583). The Office Action rejected claims 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Cloutier.

The Applicants respectfully traverse these rejections based on the amendments to the claims and the arguments below.

First, with regard to the rejection under 35 U.S.C. § 102(e), the Applicants respectfully submit that Cloutier does not disclose all of the claimed features. For example, Cloutier discloses selecting physical devices, such as actual cell phones, pagers, PDAs, fax machines, telephones, Internet, etc. for unified alerting (see Abstract and col. 2, lines 25-31).

In contrast, the Applicants' invention now includes in part "...building a composite context model of all the physical devices by examining current location information of each physical device, other persons, places and objects located proximate to each physical device, and current, past, and present behavioral information of the user with each physical device...and... training the computer system based on the composite context model to dynamically select...at least one destination avatar to which to send received information..."

Although Cloutier discloses sending alerts to the user based on a user subscriber profile (see Abstract of Cloutier), Cloutier does not disclose associating virtual destination avatars with physical devices, building a composite context model of all the physical devices, and training the computer system based on the composite context

model to dynamically select at least one destination avatar to which to send received information, like the Applicants' claimed invention. Hence, since the cited reference does not disclose all of the elements of the claimed invention, the reference cannot anticipate the claims. As such, the Applicants respectfully submit that the rejection under 35 U.S.C. 102 should be withdrawn.

With regard to the rejections under U.S.C. 103(a) of the rest of the claims, as argued above and in light of the amendments to the claims, the Applicants submit that none of the cited references, in combination or alone, disclose, teach, or suggest the Applicants' "...building a composite context model of all the physical devices by examining current location information of each physical device, other persons, places and objects located proximate to each physical device, and current, past, and present behavioral information of the user with each physical device...and... training the computer system based on the composite context model to dynamically select...at least one destination avatar to which to send received information..."

Although Cloutier communicates with several electronic devices for unified alerting, Cloutier does not associate virtual destination avatars with physical devices, build a composite context model of all the physical devices, and train the computer system based on the composite context model to dynamically select at least one destination avatar to which to send received information, like the Applicants' claimed invention. This failure of the cited reference to disclose, suggest or provide motivation for the Applicants' claimed invention indicates a lack of a prima facie case of obviousness (*MPEP* 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (*MPEP* § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant

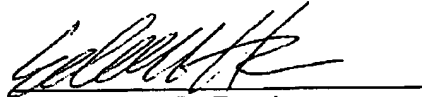
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kindly requests the Examiner to telephone the Applicant's attorney at **(818) 885-1575**.

Please note that all mail correspondence should continue to be directed to

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